

## MEMORANDUM OF LAW

DATE: September 21, 1995

TO: Helga S. Moore, Deputy Director, Central Division,  
San Diego Public Library

FROM: City Attorney

SUBJECT: Internet Statement

### QUESTION PRESENTED

You sent us the attached draft statement that the San Diego Public Library ("Library") would like to use in conjunction with public Internet use. You subsequently asked us if this statement is "legal," and if it would protect the Library and the City from liability resulting from controversial or inappropriate material that may be accessed through the Internet.

### CONCLUSION

A memorandum written by Jonathan Perez, a summer legal intern in our office, provides a comprehensive response to your question. We adopt that memo as our answer to you. As Mr. Perez concludes, the statement you sent us is legally sound and will, under current legal and technological standards, protect the City from liability due to public Internet use. As mentioned in Mr. Perez's memo, there is little background material presently available on this issue and it is difficult to answer in more detail. We will remain alert for further developments in this area of law and will be glad to revisit your question in the future should you desire.

Thank you for your patience and cooperation.

JOHN W. WITT, City Attorney

By

Mary Kay Jackson

Deputy City Attorney

MKJ:mb:pev:273:(x043.2)

Attachments: 2

ML-95-66